

Appln. No. 09/755,752
Amdt. dated: October 17, 2003
Reply to Office Action dated July 25, 2003

REMARKS

These remarks are set forth in response to the Office Action mailed July 25, 2003, (the "Office Action"). As this amendment has been timely filed within the three-month statutory period, neither an extension of time nor a fee is required. Presently, claims 1-24 are pending in the Patent Application. In the Office Action, however, claims 1-24 have been rejected under 35 U.S.C. §102(e) as being anticipated by published U.S. Patent Application No. 2002/0077151 to Matthews, et al., ("Matthews").


Although Applicant does not believe that Matthews can be reasonably construed to disclose or suggest Applicant's claimed invention, this point is rendered moot because Applicant notes that Matthews is not an appropriate reference against Applicant's claimed invention. The current application claimed the benefit of U.S. Provisional Patent Application No. 60/175,530 filed January 10, 2000, which is prior to the effective filing date accorded to Matthews, namely, December 18, 2000. Therefore, Applicant requests the withdrawal of Matthews as a basis for the rejection of Applicant's claims.

This entire application is believed to be in condition for allowance. Consequently, such action is respectfully requested. The Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

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Respectfully submitted,

Date: October 17, 2003


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